THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 2290 of 2000

DATE: 30-04-2007

Between :

Bussu Venkat ramreddy

… Petitioner

And

The District Collector,
Ranga Reddy District,
Lakdikapool, Hyderabad and 2 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.2290 of 2000

ORDER:

By notification dated 04-01-1996 issued under Section 4(1) of the Land Acquisition Act, 1894, an extent of Ac.3.30 guntas of land belonging to the petitioner situated in Sy.No.1 of Imamguda village, Maheshwaram Mandal, Ranga Reddy District was acquired for public purpose. Challenging the same, the petitioner filed W.P.No.4784 of 1996 and the same was disposed of by this Court by order dated 13-03-1996 permitting the petitioner to raise the objections and directing the respondents to consider the same. Accordingly, after considering the objections raised by the petitioner, the land to an extent of Ac.3.30 guntas was acquired which was taken possession and allotted to the beneficiaries after making the same into plots. This writ petition is filed alleging that while making the lay out and dividing the land into plots, the respondents have encroached upon the land of the petitioner to an extent of 1500 square yards and accordingly seeking a direction to the respondents to fix clear boundaries of Ac.3.30 guntas of acquired land in Sy.No.1 of Imamguda village. It is also contended that the respondents have no right to use 100 square yards of land belonging to the petitioner as a passage to approach the acquired land.

In response to the Rule Nisi ordered, the Mandal Revenue Officer, filed a counter affidavit on behalf of the respondents stating that in compliance with the order of this Court in W.P.No.4784 of 1996, the objections raised by the petitioner were

considered and thereafter pursuant to the notification issued under Section 4(1) of the Act, Ac.3.30 guntas of land belonging to the petitioner was acquired. The allegation that the respondents have encroached upon the excess land belonging to the petitioner has been denied and it is stated that the Mandal Surveyor has already conducted a survey and demarcated the acquired land and fixed the boundaries in the presence of the petitioner and other villagers and the beneficiaries on 28-02-2000. It is also stated that there was an old existing passage which is being used since long back and the beneficiaries are also using the same way, but no new passage has been created in the patta land of the petitioner as alleged in the writ petition.

No affidavit in reply has been filed nor any other material is placed before this Court contradicting the version of the respondents.

In the circumstances, recording the statement of the respondents that no excess land belonging to the petitioner was utilized, the writ petition is disposed of. No costs.

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G. ROHINI, J.

Date:30-04-2007
KLP